Reappointment of Doctors in CGHS and ESI after the strike

*327. SHRI MURLIDHAR CHANDRAKANT BHANDARE:
DR. RATNAKAR PANDEY:†

Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether it is a fact that while in the case of some of the Central Health Service Doctors like those working under CGHS the monthly wage doctors whose service was terminated during the period of recent strike have been reappointed after the strike and offered a new pay of Rs. 2000 per month, in the case of other doctors initially appointed on similar terms working in other Central Services like the ESI the termination order has already been cancelled, so as to give them a sort of continuity in service, in the scale starting with Rs. 2200 per month; and

(b) if so, what are the reasons for the disparity; in what circumstances it arose and what steps are being taken to remove the disparity on equal work equal pay basis?

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (KUMARI SAROJ KHAPARDE): (a) and (b) The doctors working under Central Government Health Scheme on monthly wages were being paid a fixed salary of Rs. 650 plus allowances admissible to those drawing a pay of Rs. 650. The gross emoluments drawn by monthly wage doctors in Central Government Health Scheme was Rs. 2406. The services of the monthly wage doctors who proceeded on strike between 20th July, 1987 to 28th July, 1987 were terminated. After withdrawal of the strike, the monthly wage doctors were reappointed on a fixed salary of Rs. 2000 plus allowances admissible which works out to a gross salary of Rs. 2860.

In the Employees State Insurance Corporation, the ad hoc Insurance Medical Officers with MBBS qualification were paid a fixed salary of Rs. 650/- plus allowances admissible. However, the ESIC issued a memorandum on 2.6.1987 which, *inter alia*, states that Insurance Medical Officers possessing MBBS qualifications would be entitled to a fixed salary of Rs. 2200 in the revised scale of Rs. 2200-4000.

The disparity has airsen because the Central Administrative Tribunal while interpreting the provisions relating to recruitment in the Employees State Insurance Act has held that intermittent breaks in service are unwarranted and no distinction can be made in the matter of pay and allowances merely on the ground that some Insurance Medical Officers are temporary or ad-hoc or officiating and others are appointed on regular basis.

डा० रत्नाकर पाण्डेय : माननीय उपसभापति जी, 90 दिन तक काम करने के बाद एक दिन का ब्रेक देने की रीति को साधारण मजदूर जो दैनिक काम करते हैं उनके लिए भी अनफेयर लेबर प्रैक्टिस माना जाता है और इसी आधार पर ई०एस०आई० के समान शर्तों पर लगाए ए डाक्टरों को ऐसा ब्रेक नहीं दिया जाता, सी०जी०एच०एस० के ऐसे डाक्टरों को यह ब्रेक क्यों नहीं दिया जाता है जिसके कारण वे छुट्टियों तथा वार्षिक वृद्धि आदि लाभों से रहित हो जाते हैं ? इसके साथ ही ई० एस० आई० के मासिक वेतनीय डाक्टरों को जिनको शुरू में उन्हीं शर्तों पर रखा गया है जिनपर सी०जी०एच०एस० वाले ऐसे डाक्टरों का एडहाक रेगूलर डाक्टर बना दिया गया है, सी०जी०एच०एस० के डाक्टरों को भी बिना ब्रेक के एडहाक स्तर पर रखने का विचार है या नहीं ? मैं माननीया राज्य मंत्री महोदया से जानना चाहता हूं कि किन शर्तों पर मासिक पारिश्रमिक पर डाक्टरों को केन्द्र सरकार का स्वास्थ्य मंत्रालय नियुक्त करता है ?

†The question was actually asked on the floor of the House by Dr. Ratnakar Pandey.

KUMARI SAROJ KHAPARDE: There are certain conditions on which doctors under CGHS are appointed on an ad hoc basis. These are:

(1) Duration of appointment 90 days at a time. Can be re-appointed after every 90 days with a break of one day;

(2) Pay Rs. 2000—3000 per month, with allowances—HRA, CCA, DA, ADA, NPA, as admissible to other junior medical officers from time to time. Will not be entitled to any increment. Rs. 2,860 approximately;

(3) Will not be entitled for CGHS benefits, provident fund facilities, any type of leave and conveyance allowance;

(4) Liable to be called for work on holidays, or for night duty, if necessary, without any further compensation;

(5) Appointment order can be terminated any time without any notice or assigning any reason etc.;

(6) Expected to make domiciliary visits not exceeding 20 in a month without any extra remuneration;

(7) The appointment will be outside Central Health Services;

(8) Will be subject to all rules and instructions of Government of India regarding conduct, discipline etc.;

(9) He or she will be entitled to payment of wages for all closed holidays of the Central Government;

(10) He or she will not be entitled to do any private practice as NPA is included in the monthly wages.

डा० रत्नाकर पाण्डेय : माननीय उपसभापति जी, चौथे पे-कमीशन की सिफारिश है कि सरकारी कर्मचारियों को जो 650 रुपया शुरू में वेतन पाते थे, उसके स्थान पर 2200 से 4000 रुपये का वेतनमान होना चाहिए, ई०एस०आई० डाक्टरों के लिए शायद ऐसा किया गया है । 'बराबर काम और बराबर वेतन' के सिद्धांत के आधार पर सी०जी०एच०एस० के डाक्टरों के लिए क्या ऐसा करने का विचार मंत्रालय का है ? और केन्द्रीय सरकार स्वास्थ्य योजना के अधीन चिकित्सा अधिकारियों को इस तथ्य को ध्यान में रखते हुए जो अधिकारी मासिक पारिश्रमिक पर नियुक्त किए गए हैं, उनको 2200—4000 का संशोधित वेतनमान देने का विचार क्या मंत्रालय कर रहा है ?

KUMARI SAROJ KHAPARDE: Madam Deputy Chairperson, when we sought a clarification from the Ministry of Finance (Department of Revenue), they referred us to the Department of Personnel and Training. That Department clarified that in the absence of any special recommendation by the Pay Commission in regard to the pay scales for monthly wage Medical Officers, the Medical Officers appointed on a fixed pay of Rs. 650 in the pay scale of Rs. 650—1200 will be entitled to a fixed pay of Rs. 2,000 in the normal replacement scale of Rs. 2,000—3,500.

SHRI SUKOMAL SEN: Madam, the doctors were on strike recently. It is reported that for the strike period their salaries have been deducted and it is also reported that they have demanded payment of the deducted salaries for the strike period and they have threatened with another strike unless they are paid. I would like to know from the honourable Minister whether the Government is considering payment of the deducted salaries to them so as to avert another crisis if the doctors go on strike again.

KUMARI SAROJ KHAPARDE: Madam Deputy Chairperson, I would like to bring to the notice of the House today that, as you know, when the Government employees go on strike, whatever their demands are, we always try to examine those demands. But when the employees are not on work, our policy is: No work, no pay. That is all I can say here, Madam.

SHRI GURUDAS DAS GUPTA: A very courageous statement!

SHRI P. N. SUKUL: Madam Deputy Chairman, I would like to know from the honourable Minister as to how many

doctors have been victimized on account of this strike: by "victimization" I mean wage cut, withholding of increments, removal or dismissal.

KUMARI SAROJ KHAPARDE: I would like to tell the honourable Member that, according to me, not a single doctor has been vicitimized.

DR. G. VIJAYA MOHAN REDDY: Madam, the Government takes the services of doctors. After all, a doctor is a very important person and what is this practice of terminating after 90 days' service? Can you get some kind of specialized services of doctors if you break their service for one day after 90 days' of service? What is this system? Can't you recruit doctors on a regular basis?

KUMARI SAROJ KHAPARDE: Madam, I would like to tell the honourable Member that as and when we have got vacancies—only on that basis—we can recruit doctors.

श्री महेन्द्र मोहन मिश्र : उपसभापति महोदया, सी०जी०एच० च० डाक्टर्स की अभी हड़ताल हुई थी और जैसाकि हमें अखबारों के माध्यम से ज्ञात हुआ कि सरकार या प्राइम मिनिस्टर के आश्वासन पर उन्होंने हड़ताल विद्ड्रा की । अभी फिर हमने देखा कि सी०जी०एच०एस० के डाक्टर वक्स हड़ताल पर चले गए हैं । मैं मंत्री जी से पूछना चाहता हूं कि पहले किस शर्त पर स्ट्राइक विदड्रा हो गयी थी ?

THE DEPUTY CHAIRMAN: Question Hour is over.

WRITTEN ANSWERS TO QUESTIONS

Restriction on Teaching Shops and Drawing Room Kindergarten Schools in Delhi

*323. SHRI J. P. GOYAL: Will the Minister of HUMAN RESOURCE DEVELOPMENT be pleased to refer to the answer to Unstarred Question 301 given in the Rajya Sabha on the 25th February, 1987 regarding growth of teaching shops and drawing-room kindergarden schools in Delhi and state:

(a) whether the necessary amendments to the Delhi School Education Act, 1973 have since been made;

(b) if so, what are the details in this regard;

(c) if not, what are the reasons for the delay and by when these amendments are proposed to be made; and

(d) what other measures are taken by Government in this regard till such time the amendments to the Delhi School Education Act are made?

THE MINISTER OF STATE IN THE DEPARTMENTS OF EDUCATION AND CULTURE IN THE MINISTRY OF HUMAN RESOURCE DEVELOPMENT (SHRIMATI KRISHNA SAHI): (a) No, Sir.

(b) Does not arise.

(c) and (d) Amendments to the Delhi School Education Act, 1973 are under consideration of the Delhi Administration. The Delhi Metropolitan Council has yet to consider the draft bill.

Shifting of Railway Institutions/Centres under N.F. Railway in Assam

*325. SHRI NAGEN SAIKIA: Will the Minister of RAILWAYS be pleased to state:

(a) whether it is a fact that (i) the Zonal Staff Training School; (ii) the Sanitary and Heatlh Training Centre, (iii) the Signal Workshop and (iv) the Telecommunication Training School under N.F. Railway have been shifted from their original places in Assam to other places;

(b) if so, what are the reasons therefore; and

(c) whether Government propose to review these matters and shift these centres back to their original places?

THE MINISTER OF STATE OF THE MINISTRY OF RAILWAYS (SHRI MADHAVRAO SCINDIA): (a) and (b) Zonal Training School for Northeast Frontier Railway was originally established at